

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/574,725
Confirmation Number	
Filing Date	with an effective filing date of October 2, MAY 28 2008
First Named Inventor	Detlef BAASCH, Gerhard GUMPOLTSBERGER, Christoph PELCHEN, Barbara SCHMOHL, Ulrich MAIR and Thomas ROSEMEIER
Group Art Unit	3681
Examiner Name	Roger L. Pang Fax: (571) 273-8300
Attorney Docket Number	ZAHFRI P844US

Total No. of Pages in this Submission: 3

ENCLOSURES (check all that apply)

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REMARKS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Michael J. Bujold DAVIS BUJOLD & DANIELS, P.L.L.C.	Reg. No. 32,018 CUSTOMER NO. 020210
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Date

May 28, 2008

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Detlef BAASCH, Gerhard GUMPOLTSBERGER,
Christoph PELCHEN, Barbara SCHMOHL, Ulrich
MAIR and Thomas ROSEMEIER
Serial no. : 10/574,725
Confirmation No. :
Filed : with an effective filing date of October 2, 2004
For : TRANSMISSION DEVICE AND METHOD FOR
CONTROLLING AND REGULATING A
TRANSMISSION DEVICE
Group Art Unit : 3681
Examiner : Roger L. Pang
Docket : ZAHFRI P844US

The Commissioner for Patents
U.S. Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

This response is being filed in reply to the official action mailed May 12, 2008. In that action, the Examiner requires an election of species, under 35 U.S.C. § 121, between one of the following alleged patentably distinct species of the invention:

- I. Transmission 1: Fig. 2;
- II. Transmission 2: Fig. 3; or
- III. Transmission 3: Fig. 4.

In addition, the Applicant is also required to elect one of the following patentably distinct species of the claimed invention:

- IV. Configuration 1: Fig. 6;
- V. Configuration 2: Fig. 7;
- VI. Configuration 3: Fig. 8;
- VII. Configuration 4: Fig. 9; or
- VIII. Configuration 5: Fig. 10.

The Applicant elects to prosecute the species of the claimed invention shown in Group II (Transmission 2: Fig. 3) and further elects to prosecute the species of the claimed invention shown in Group VIII (Configuration 5: Fig. 10) of the drawings. The Applicant also elects claims 22-26, 34-38 and 42 which are readable on the elected species to be prosecuted on the merits.

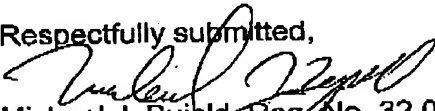
The Applicant does not waive any rights with respect to the non-elected species and does not intend to abandon that subject matter. If the Examiner makes the election requirement final, the Applicant respectfully requests that the non-elected species be withdrawn from further consideration but remain in this application subject to

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reinstatement, in the event that a generic claim is allowed, or for possible filing of a divisional application(s).

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018

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